

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

*Track Seven*

MDL No. 2804  
Case No. 17-md-2804  
Judge Dan Aaron Polster

**[PROPOSED] ORDER GRANTING KROGER DEFENDANTS'  
MOTION FOR LEAVE TO FILE UNDER SEAL THEIR DAUBERT  
MOTION TO EXCLUDE PORTIONS OF ANNA LEMBKE'S, DAVID  
COURTWRIGHT'S, AND JAMES RAFALSKI'S OPINIONS**

The Kroger Defendants' Motion under Local Rule 5.2 seeking leave to file under seal the Kroger Defendants' Motion to exclude certain opinions disclosed by Plaintiff's proffered expert witnesses Anna Lembke, David Courtwright, and James Rafalski, together with supporting exhibits, is GRANTED.

Plaintiff shall indicate within three business days whether and which specific information contained in the Kroger Defendants' Motion or supporting exhibits should be redacted and remain under seal. At the end of that period, any information Plaintiff does not indicate should be redacted will be made available on the Court's public docket.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_

**DAN AARON POLSTER  
UNITED STATES DISTRICT JUDGE**